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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant P. HABERMEYER, et al.

Serial No: 10/586,459

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Title: HUMERAL HEAD PROSTHESIS

International Application No.: PCT/CH2005/000011

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Group: 3738

Examiner: Jason-Dennis Neilken STEWART

Conf. No.: 4231

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 28, 2008

Sir:

In response to the Office Action dated May 28, 2008, Applicants request reconsideration of the rejections of the claims in the above-identified application in view of the remarks set forth below.

Claim 8 is rejected in the Office Action under 35 U.S.C. §102(e) as being anticipated by Guederian, et al. 2004/0059424 as stated on pages 2 and 3 of the Office Action. Applicants do not agree with this rejection. A first difference between the reference and the method of claim 8 is that Guederian, et al. describe a prosthetic glenoid component with attachment to a glenoid surface and the related method in contrast to Applicants invention where the attachment of a humeral head is described and claimed in claim 8 as amended. Specifically, the claim recites a method of fitting a shoulder joint

CONSIDERED: /J.S./

/Jason-Dennis Stewart/

09/29/2008